

SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 12/7/10

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
APPLIED ENERGETICS, INC.

Plaintiff,

10 CIVIL 1669 (RMB)(GWG)

-against-

JUDGMENT

NEW OAK CAPITAL MARKETS, LLC,
Defendants.
-----X

Whereas on October 5, 2010, the Honorable Gabriel W. Gorenstein, United States Magistrate Judge, having issued a Report and Recommendation (the "report") recommending New Oak's Motion to compel arbitration be denied, and the matter having come before the Honorable Richard M. Berman, United States District Judge, and the Court, on December 3, 2010, having rendered its Decision and Order rejecting the report, granting New Oak's motion to compel arbitration, and closing the case, it is,

ORDERED, ADJUDGED AND DECREED: That for the reasons stated in the Decision and Order dated December 3, 2010, the report is rejected and New Oak's Motion to Compel Arbitration is granted: accordingly, the case is closed.

Dated: New York, New York
December 6, 2010

RUBY J. KRAJICK

Clerk of Court

BY:

Deputy Clerk

**THIS DOCUMENT WAS ENTERED
ON THE DOCKET ON 12/7/10**